

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

SHIRLEY MAYS,

Plaintiff,

v.

STATE OF ALABAMA, *et al.*,

Defendants.

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**CIVIL ACTION NO.:
07 cv 432-MHT**

JOINT STATEMENT REGARDING REPRESENTATION OF PARTIES

In response to this Honorable Court's Order of June 25, 2007 [Doc. No. 13], requiring the parties to jointly prepare a statement concerning representation, the following is submitted:

A. Defendants remaining in the case:

1. Department of Human Resources
2. Department of Industrial Relations
3. State Personnel Department
4. State Personnel Board
5. Jackie Graham, Director of State Personnel Department
6. State of Alabama
7. Governor Bob Riley¹

¹ The defendants contend that the State and Governor Riley are not proper defendants. Plaintiffs contend that Dr. Page Wally, Commissioner of Human Resources, and Phyllis Kennedy, Director of Industrial Relations, are also proper defendants.

B. Attorneys in the case:

1. Russell W. Adams
2. Rocco Calamusa, Jr.
3. Warren B. Lightfoot, Jr.
4. John B. Holmes III
5. Abigail H. Avery
6. Sharon E. Ficquette
7. Aaron L. Dettling
8. Frank D. Marsh
9. Alice Ann Byrne

C. Representation of parties:

Plaintiff:

Shirley Mays

Attorneys

Russell W. Adams
Rocco Calamusa, Jr.

Defendants:

State Personnel Department

State Personnel Board

Jackie Graham, Director

State of Alabama

Governor Bob Riley

Department of Human Resources

Attorneys

Alice Ann Byrne

Alice Ann Byrne

Alice Ann Byrne

Alice Ann Byrne

Alice Ann Byrne

Warren B. Lightfoot, Jr.
John B. Holmes III
Abigail H. Avery
Sharon E. Ficquette

Department of Industrial Relations

Aaron L. Dettling
Frank D. Marsh

The parties agree that the Governor and the State of Alabama shall be dismissed from this action without prejudice, subject to the Plaintiff's right to reinstate the Governor and the State of Alabama as defendants upon notice to the Court and the parties. The Governor and the State would then be reinstated as defendants in this action as if they had never been dismissed such that any application statute of limitations shall be tolled during the dismissal period. The Defendants agree that no objection or defense arising from the dismissal will be raised.

Respectfully submitted, this 7th day of August, 2007.

/s/ Russell W. Adams
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/s/ Alice Ann Byrne
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Attorney for Defendants
State of Alabama, Governor Fob James,
State Personnel Department,
State Personnel Board, and Jackie Graham,
Director of State Personnel Department

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Attorney for Defendant
Department of Human Resources

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/s/ Aaron L. Dettling
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Department of Industrial Relations

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/s/ Frank D. Marsh, Esq.
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